

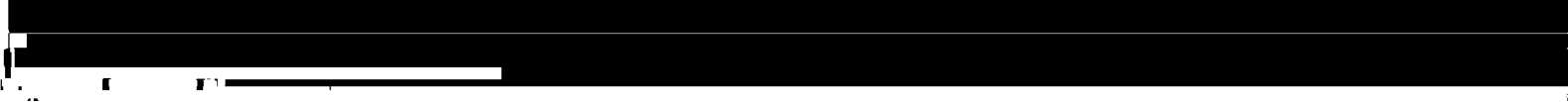
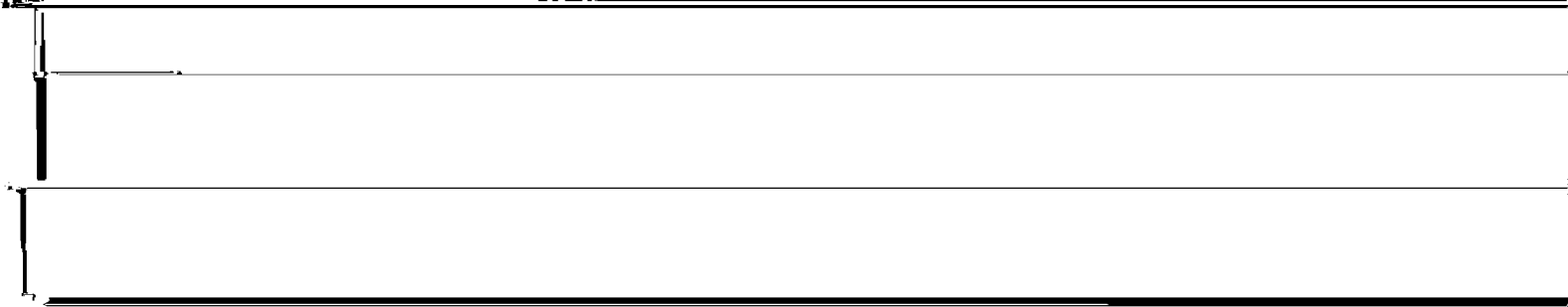
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THE HONORABLE MARSHA J. PECHMAN

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NOW, THEREFORE, Defendants and the Commission having requested the Court to enter this Order, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** as follows:

FINDINGS

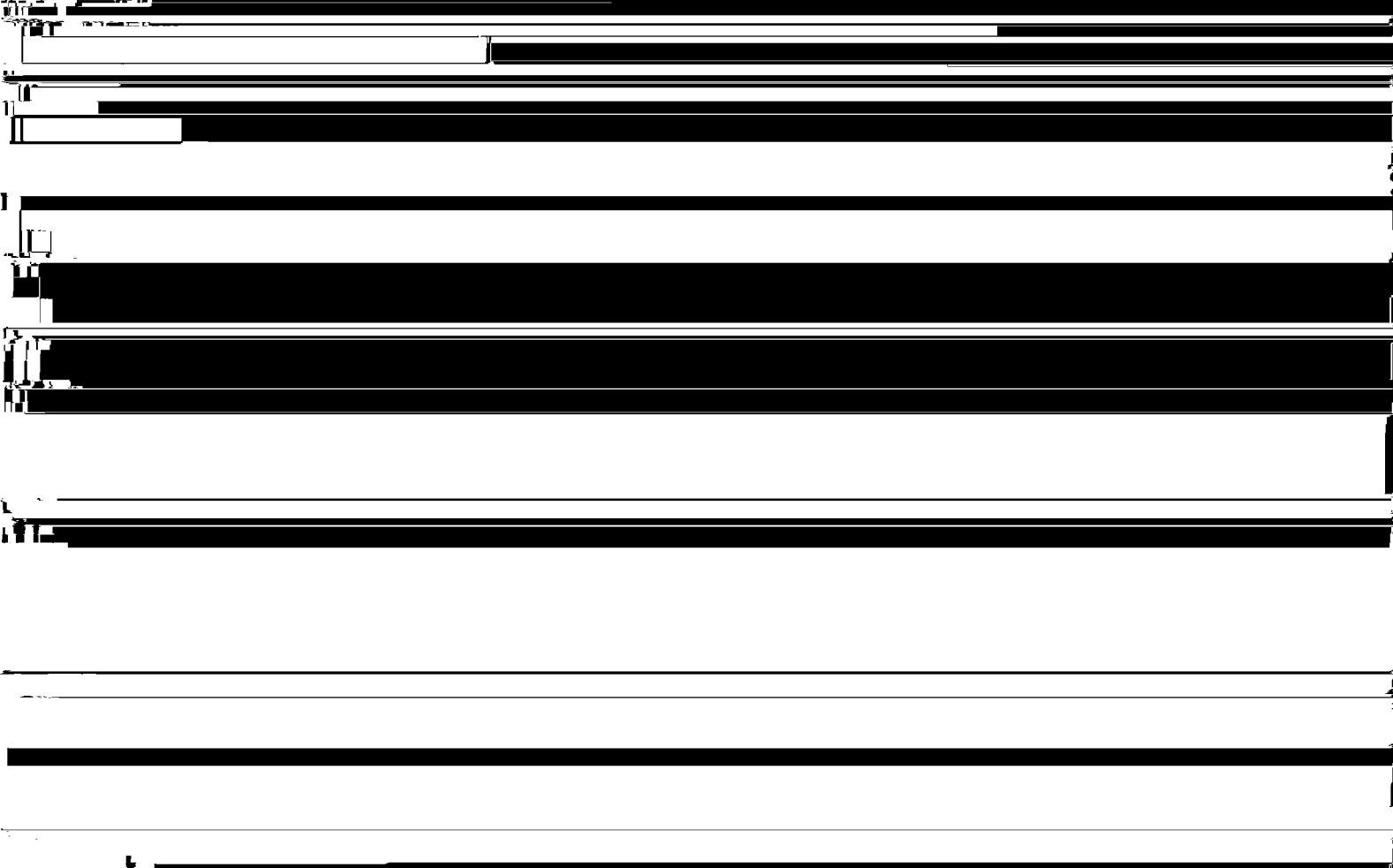
1. This Court has jurisdiction over the subject matter of this case and over all the parties.

2. Venue is proper in the Western District of Washington.

3. The activities of Defendants are in or affecting commerce, as defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

4. The Complaint states a claim upon which relief may be granted against Defendants under Sections 5 and 13(b) of the FTC Act, 15 U.S.C. §§ 45 and 53(b).

5. Defendants have waived all rights to seek judicial review or otherwise challenge or contest the validity of this Order, and further waive and release any claim Defendants may



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2 3. "Prescription Assistance Programs ("PAPs")" shall mean those programs offered
3 by pharmaceutical companies to provide free prescription medications to certain eligible
4 consumers.

5 4. For representations concerning the eligibility of a consumer to receive
6 medications or the availability of medications through MFM or from a PAP, "reasonable basis"
7 shall mean all of the information necessary to make a complete determination that the consumer
8 is eligible, including all of the relevant financial and personal information from the consumer and
9 the most current information for each PAP concerning all eligibility criteria and the availability
10 of each drug and dosage offered by the PAP.

11 5. "Clearly and conspicuously" or "clear and conspicuous" means:

- 12 (1) In print communications, that the message shall be in a type size and
13 location sufficiently noticeable for an ordinary consumer to read and comprehend
14 it in print that contrasts with the background against which it appears.

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(b) Any visual message shall be of a size and shade, with a degree of contrast to the background against which it appears, and shall

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

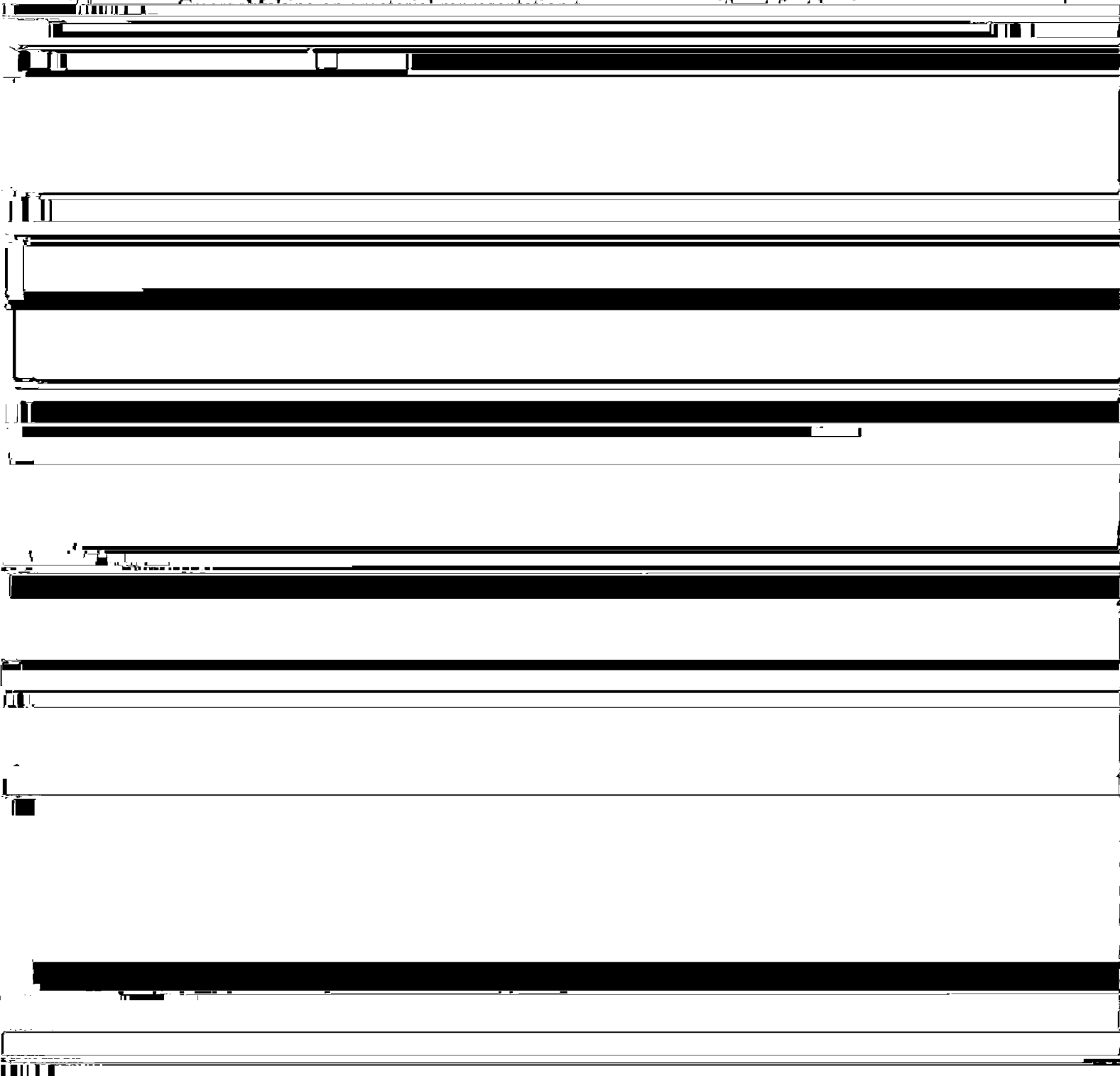
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D. Misrepresenting that consumers who pay a fee for the MFM program or other medical services program will receive their prescription medications or any other medical products or services;

E. Misrepresenting their refund policy;

F. Making any other material misrepresentation;



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2 restitution is completed, the Commission may apply any remaining funds for such other equitable
3 relief (including consumer information remedies) as it determines to be reasonably related to the
defendants' practices alleged in the Complaint. Any funds not used for such equitable relief shall

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III.

PROHIBITED DISCLOSURE OF CUSTOMER INFORMATION

IT IS FURTHER ORDERED that Defendants and their officers, agents, directors, servants, employees, salespersons, independent contractors, attorneys, corporations, subsidiaries, affiliates, successors, and assigns, and all other persons or entities in active support or

[REDACTED]

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2 C. Customer files containing the names, addresses, and phone numbers, dollar
3 amounts paid, quantity of items or services purchased, and description of items or services
4 purchased, to the extent such information is obtained in the ordinary course of business;

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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- b. His then-current employment and business addresses and telephone numbers, a description of the business activities of each such employer or business, and his title and responsibilities for each such employer or business; and
- c. Any other changes required to be reported under Subparagraph A of this Section.

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2 entry during normal business hours to any business location engaged in the marketing of the
3 MFM program or any other medical services program that is in the defendant's possession or
4 direct or indirect control to inspect the business operation.

5 B. In addition, the Commission is authorized to monitor compliance with this Order
6 by all other lawful means, including but not limited to the following:

- 7 1. Obtaining discovery from any person, without further leave of court, using
8 the procedures prescribed by Fed. R. Civ. P. 30, 31, 33, 34, 36, and 45;
9 and
10 2. Posing as customers and suppliers to Defendants, or any other entity
11 engaged in the marketing of the MFM program or any other medical
12 service program that is managed or controlled in whole or in part by
13 Defendants without the necessity of identification and permission

X.

RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for all purposes.

Dated this 9 day of Feb., 2006.


UNITED STATES DISTRICT JUDGE
THE HONORABLE MARSHA J. PECHMAN

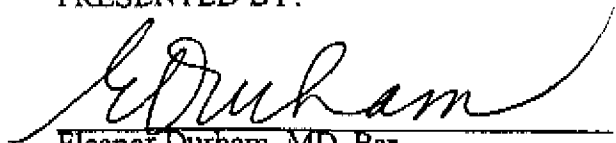
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